IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 14TH MAY 2007 / 24TH VAISAKHA 1929

Bail Appl..No. 2834 of 2007()

(CRIME NO.62/2007 OF CHENGANNUR EXCISE RANGE)

PETITIONER/ACCUSED:

INDRAN, S/O.DAMODARAN,
VELANGAZHEZHATHU, PANDANAD P.O.,
CHENGANNUR TALUK, ALAPPUZHA DISTRICT.

BY ADV. SMT.K.V.BHADRA KUMARI

RESPONDENT: COMPLAINANT:

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SRI. P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 15/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

B.A.No.2834 of 2007

Dated this the 15th day of May 2007

O R D E R

In this Petition filed under Sec. 438 Cr.P.C. the petitioner, who is the accused in C.R. No.62/2007 of Chengannur Excise Range for an offence punishable under section 8(2) of the Abkari Act for allegedly having been found in possession of 3 litres of arrack, seeks anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case involving such grave offence. It is too early to accept the petitioner's contention that the petitioner has been falsely implicated. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly if the petitioner surrenders before the Magistrate concerned within two weeks from today and files an application for regular bail, the same shall be considered and disposed of preferably on the same day on which it is filed, bearing in mind the decision in **Sukumari v. State of Kerala (2001 (1) KLT 22).**

With the above observation this Application is disposed of.

V.RAMKUMAR,
JUDGE.

jsr